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January 27, 2017

BY ECF

The Honorable Stephanie A. Gallagher
United States Magistrate Judge
United States District Court for the District of Maryland
101 West Lombard Street
Baltimore, Maryland 21201

Re: *Mills v. PPE Casino Resorts Maryland, LLC, et al.*, Civil No. RDB 15-495

Dear Judge Gallagher:

I am in receipt of correspondence order of January 26, 2017, and would respectfully request that you excuse Defendants Bilter and Shapelow from bringing a representative with “complete authority” to enter into a binding settlement. These individuals are off-duty police officers who are sued as state agents under 42 U.S.C. §1983. Anne Arundel County, Maryland is required to provide representation and indemnification to the extent that they were acting within the scope of their employment. Md. Cts.&Jud.Proc. Code §5-302.

Pursuant to the Anne Arundel County Code, § 3-11-105, liability coverage for the Defendant officers in this instance is extended by a self-insurance fund composed of a number of governmental entities and administered by a committee who must authorize any settlement. I would ask that the Defendant be permitted to have in attendance the County’s Risk Manager and we will obtain authorization, in advance, for any amount that the Self-Insurance Fund Committee believes is appropriate.

Additionally, I note that the Court has required the Plaintiff to make any demand by February 6, 2017. This will allow the SIFC to consider it at their meeting on February 15th and respond with an offer by close of business that day.

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I appreciate your consideration of this request. If you require any additional information or assistance in this matter, please do not hesitate to contact me.

Very truly yours,

/s/

Jay H. Creech
Senior Assistant County Attorney

cc: Abraham Fernando Carpio, Esquire (via ECF)
Robert Nersesian, Esquire (via ECF)
Michelle J. Marzullo, Esquire (via ECF)
Patricia H. Beall, Esquire (via ECF)